

REMARKS/ARGUMENTS

The office action of June 4, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 3-13 and 16-25 remain in this application. Claims 1, 2, 14 and 15 have been canceled without prejudice or disclaimer.

Preliminarily, applicants note with appreciation the indication that the application contains allowable subject matter. Specifically, claims 3-13 and 16-25 have been objected to for being dependent upon a rejected base claim, but would be allowable if amended to incorporate all the features of their ultimate base claim and any intervening claims. Claims 3-13 and 16-25 have been amended as appropriate to incorporate the features of their base claims and are believed to be in condition for allowance.

The undersigned did not receive initialed copies of all of the PTO-1449 forms (or equivalents) evidencing the Examiner's consideration of all of the references cited by Applicant. Specifically, the undersigned did not receive initialed copies for the following submissions:

1. Page 1 of the PTO-1449 form submitted in with the Information Disclosure Statement on March 8, 2002, first reference listed as "D. PLUMMER, "RFC 826: An Ethernet Address Resolution Protocol", ... November 1982, pp. 1-8" - a copy of the IDS/1449 forms and dated receipt card is attached; and
2. The electronic IDS submitted May 24, 2004 - a copy of the electronic IDS, including Acknowledgement Receipt, is attached.
3. The two references listed under the "Other Documents" on the PTO-1449 filed with the IDS submitted August 23, 2001. The U.S. patent documents identified on that PTO-1449 however were initialed.

The undersigned requests that the Examiner return the initialed copies with the next communication.

Applicants have renumbered the labels associated with the IEEE 1394 Interface (formerly 140) and devices (formerly 150) as these labels were duplicative of ROM 140 and RAM 150. In addition, applicant has amended the specification to change the labeling as well.

Appln. No.: 09/769,438
Amendment dated September 3, 2004
Reply to Office Action of June 4, 2004

Claims 1-2 and 14-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,219,697 to Lawande et al. ("Lawande"). Applicants respectfully traverse this rejection. This rejection is deemed moot as the rejected claims have been canceled.

CONCLUSION

A Fee Transmittal is attached. If any additional fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 1, 2004

By:



Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001
GDF:lab

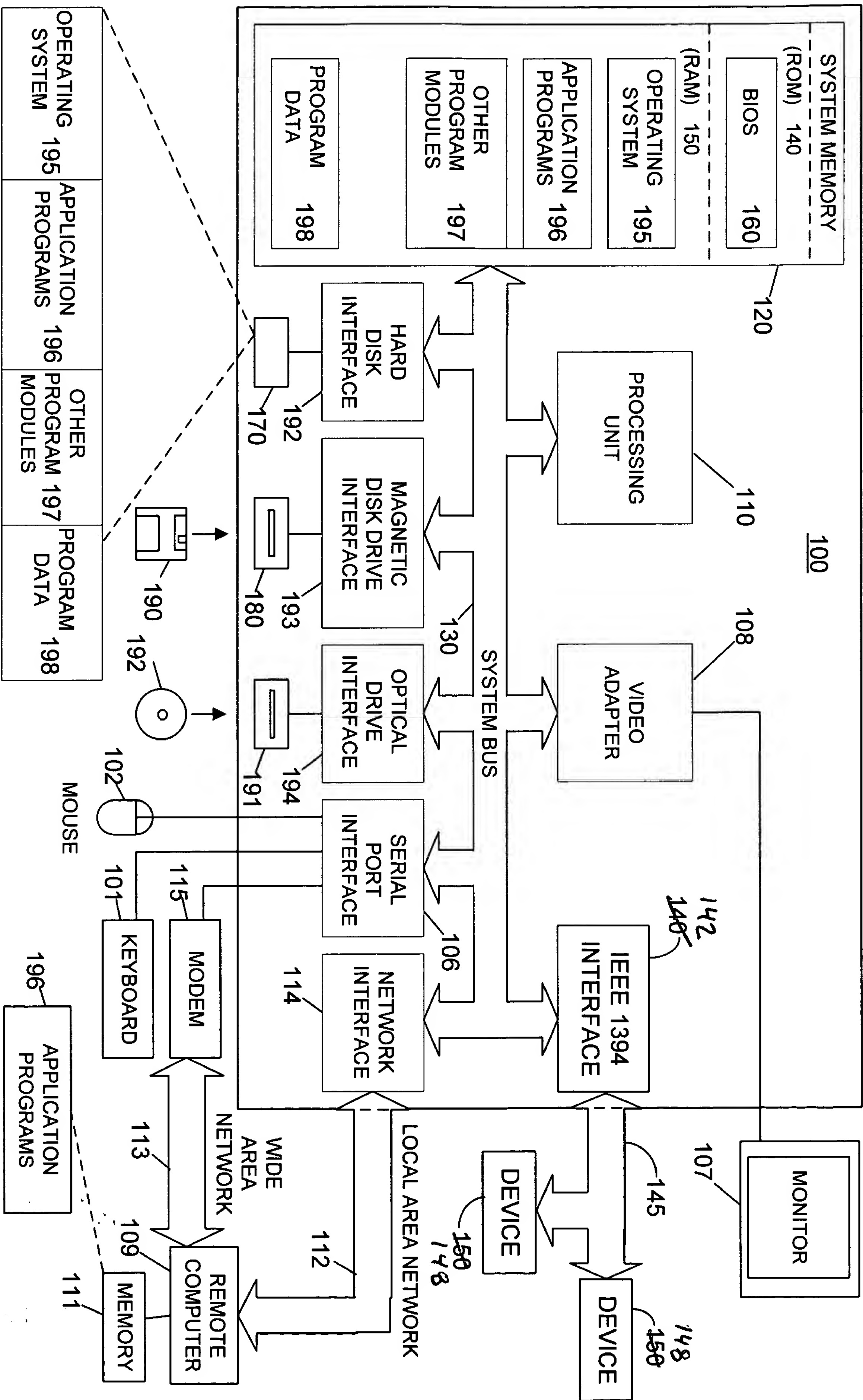


FIG. 1



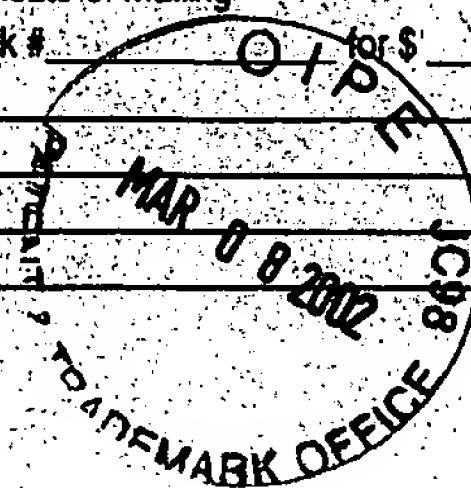


☒ **PATENT** ☐ **DESIGN** B&W Ref. 3797-86780 Date 3/8/02
☐ **HAND CARRY** Group/Section _____ Bldg _____ Rm _____
Serial/Patent No. 09/769,438 Atty/Sec RAD/god
Inventor Jay D. Client Microsoft
Title Method and Apparatus for Combining Thermal Functionality over a Serial Bus

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- | | |
|---|---|
| <input type="checkbox"/> total pp Spec., including: # of Claims _____
(# of independent claims _____); <input type="checkbox"/> Abstract | <input type="checkbox"/> Sequence Listing: <input type="checkbox"/> Diskette <input type="checkbox"/> Paper |
| <input type="checkbox"/> Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal
of distinct sheets _____; Figs. _____ | <input type="checkbox"/> Amendment <input type="checkbox"/> Response: OA dtd _____ |
| <input type="checkbox"/> Declaration/Power of Attorney: <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted | <input type="checkbox"/> Petition for Extension of Time until _____ |
| <input type="checkbox"/> Assignment w/PTO Cover Sheet | <input type="checkbox"/> CPA: <input type="checkbox"/> RCE <input type="checkbox"/> w/Ext of Time: OA dtd _____ |
| <input checked="" type="checkbox"/> IDS w/PTO 1449 <input checked="" type="checkbox"/> References <input type="checkbox"/> w/Fee | <input type="checkbox"/> Request for Approval of Drawing Changes |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Notice of Appeal & Fee |
| <input type="checkbox"/> Priority Claim (Foreign or U.S. Provisional: B&W # _____) | <input type="checkbox"/> Brief: <input type="checkbox"/> Appeal & Fee <input type="checkbox"/> Reply |
| | <input type="checkbox"/> Request for Oral Hearing |
| | <input type="checkbox"/> Issue Fee <input type="checkbox"/> Advance Patent Copies (# ordered _____) |
| | Notice of Allowance dtd _____ |
| Country _____ Appl. # _____ Date _____ | <input type="checkbox"/> Amendment under 37 CFR 1.312 |
| <input type="checkbox"/> w/Foreign Priority Document(s) | <input type="checkbox"/> Request for Certificate of Correction |
| <input type="checkbox"/> Application: <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional | <input type="checkbox"/> Transmittal <input type="checkbox"/> Fee Transmittal w/Auth. to Charge Deposit Acct. |
| Parent Ser. No. _____ B&W# _____ | <input type="checkbox"/> Certificate of Mailing |
| <input type="checkbox"/> U.S. Provisional _____ pp Spec/Claims; Cover Sheet | <input type="checkbox"/> Check # _____ for \$ _____ |
| <input type="checkbox"/> Response to Missing Parts/Requirements dtd _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Response to Notice to File Corrected Appln. Papers dtd _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Request for Expedited Foreign Filing License | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Request for Corrected: <input type="checkbox"/> Filing Receipt <input type="checkbox"/> Assignment | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Response to Restriction/Election Requirement | <input type="checkbox"/> _____ |

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